

**REMARKS**

Claims 1-12 are pending in the application. Claims 1-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tobita (U.S. Patent No. 5,801,412).

Tobita relates to a semiconductor memory device having decoupling capacitors that are implemented by connecting an electrode node VA to a power supply node. The decoupling capacitors of Tobita are made up of first conductive layers 6c and 6d, a second conductive layer 9a, and an insulating film 7c interposed therebetween.

The first conductive layers 6c and 6d have a T-shaped cross section and are respectively connected to corresponding impurity regions 2d and 2f, which are formed in an N well 10. The decoupling capacitor of Tobita is located over the impurity regions 2d or 2f serving as well contact regions (see column 11, lines 9-22 and 45-48; and FIG 5). Tobita does not disclose, teach or suggest the unique combination of features recited in claims 1 and 3, including the decoupling capacitor of claim 1 and the decoupling circuit of claim 3, which are located outside of a region overlapping with the diffusion layer.

The Examiner contends that the electrodes 6c-6f connected to layer 5a constitute a shield layer. However, the electrodes 6c-6f and layer 5a are spatially isolated by an interlayer insulating film covering the layer 5a (see FIG 6) and are electrically connected to each other through the N well 10. Thus, the layer 5a would not be considered a shield layer.

Moreover, the decoupling capacitor of Tobita is substantially the same as that in Japanese Laid-Open Patent No. 2001-15601, which is described on page 1 of the present specification. Since the T-shaped first conductive layers 6c and 6d of Tobita's decoupling capacitor are located over impurity regions 2d and 2f and respectively connected thereto (see column 10, lines 59-60

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and FIG 5), an inductance factor is prevalent, such that impedance is increased in the high frequency region. As a result, decoupling characteristics in the high frequency region are deteriorated due to a reduction of insertion loss caused by a resonance phenomenon in the high frequency region (see page 2, lines 6-25 of the present specification).

Accordingly, Tobita does not disclose the unique combination of features recited in claims 1 and 3, such that the rejection thereof under 35 U.S.C. § 102(b) should be withdrawn. The rejection of dependent claims 2 and 4-12 should likewise be withdrawn at least by virtue of these claims respectively depending from claims 1 and 3.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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